

NOV 15 2006

I certify that I have transmitted this document today November 15, 2006 via fax to the USPTO Fax Number 571-273-8300.

Request to accept an amendment RE: Application Number: 10/792,197  
Examiner: Kevin L. Lee


Five Pages including this cover sheet.

Applicants Response dated November 14, 2006 (2 pages)

Page Number 6R-AR, Cancelled or withdrawn claims

Page Number 6R-BR, Amended and cancelled claims

Signed:

  
Jerry M. Edmondson, Inventor/Applicant

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***APPLICANTS RESPONSE to ADVISORY ACTION dated 10/26/2006:***

DATE: November 14, 2006

Applicant: Jerry M. Edmondson

Application No. 10/792,197

Examiner: Kevin L. Lee

Filing Date: 03/04/2004

Dear Sir,

Responsive to the "Advisory Action Before the Filing of an Appeal Brief" date 10/26/2006, I wish to rescind my "Applicants Response to Office Action" dated September 29, 2006, requesting to amend the patent application and in its place substitute this request and ask for the examiner to please consider this amendment to the claims which I feel, if accepted, will place the application in condition for allowance.

Please accept page 6R-AR which cancels claims 1-4 and withdraws claims 5-7.

Please accept page 6R-BR which amends claims 8-10 and cancels claim 11.

I believe the substitution of this requested amendment will resolve the issues as noted by item 3. of the Advisory Action and its Continuation Sheet.

With reference to the earlier Office Action Summary of 09/25/2006, I believe the examiners acceptance of the amended claims will overcome the examiners objection of the claim 8, not being written as a method claim. Further, I believe such acceptance will overcome the examiners objection to the claim being indefinite as language has been added to better describe the invention and establish antecedent basis for "the process" and "the fluid" and overcome the objection that the recitation that the barrier is "constructed in a manner that will permit..." is vague and indefinite.

The amended claims, if accepted, will overcome the examiner's objection to "same said" by removing the word "same" and will make the claims 9 and 10 dependent on

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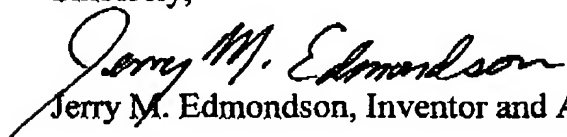
Application Number: 10/792,197

amended claim 8 per the examiner's objection of the applicant's error of using "claim 1". The examiners objections relative to claim 11 become moot if this amendment is accepted as it cancels claim 11.

In reference to the Examiners finding that the Buchanan patent anticipates my invention, my reading of the description determines that the louvers of the "adjustable distributor" are vertical to a longitudinal fluid flow path, therefore negating the possibility of having the permeability of the distributor differ in the oil strata from that in the water strata and further my interpretation is that the "pairs" is in reference to two sets of vertical louvers in a common distributor assembly with all of the louvers being moved in unison assuming the same angle and amount of open area throughout the distributor assembly. In a careful reading of the Buchanan patent I find no mention of an advantage to having the capability of varying the permeability on different areas of the same distributor assembly and can in no way find anything in the description that would lead one knowledgeable in the art to anticipate my invention which recognizes and distinctly teaches the advantage of being able to vary the permeability in different areas of a common distributor assembly.

Please consider and accept this amendment and pass the application for issuance.

Sincerely,

  
Jerry M. Edmondson, Inventor and Applicant